

**SB 5277** - H AMD TO JUDI COMM AMD (5277 AMH JUDI TANG 053) **439**

By Representative Anderson

FAILED 4/07/2009

1 On page 2, beginning on line 17 of the amendment, after "(9)"  
2 strike all material through "hour" on line 21 of the amendment and  
3 insert "At the option of the district court, for processing multiple  
4 ex parte orders that are delivered in a single submission and  
5 delivered to and returned by the clerk by mail, messenger service or  
6 other similar means, a fee not to exceed twenty dollars for a single  
7 submission of up to ten ex parte orders. The party submitting the  
8 multiple ex parte orders in single submissions must provide the clerk  
9 copies of the orders to be conformed and a postage-paid return  
10 envelope or messenger transmittal. The court may not charge a fee to  
11 process ex parte orders presented to the clerk in person by the party  
12 or attorney for the party.

13 (10) At the option of the district court, for clerk's services  
14 such as performing historical searches, compiling statistical reports,  
15 and conducting exceptional record searches, a fee not to exceed twenty  
16 dollars per hour or portion of an hour"

17

18 Renumber the remaining subsections consecutively.

19

**EFFECT:** Removes language allowing the district court to charge up to \$20 per hour or portion of the hour for processing ex parte orders. Instead, allows the court to charge a fee of up to \$20 for processing multiple ex parte orders delivered by mail, messenger service or other similar means in a single submission (up to ten orders per submission). Requires that the party submitting multiple ex parte orders in single submissions provide the clerk with copies of the orders to be conformed and a postage-paid return envelope or messenger transmittal. Prohibits the court from charging a fee if the party or party's attorney presents the ex parte order in person.

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